

# THE BAYARD FIRM

A T T O R N E Y S

222 DELAWARE AVENUE, SUITE 900  
P.O. Box 25130  
WILMINGTON, DE 19899

 MERITAS LAW FIRMS WORLDWIDE

302-655-5000  
(FAX) 302-658-6395

Richard D. Kirk

302-429-4208  
rkirk@bayardfirm.com

BY EMAIL AND BY HAND

June 1, 2007

The Honorable Vincent J. Poppiti  
Blank Rome LLP  
1201 Market Street, Suite 800  
Wilmington, DE 19801

**Re: LG.Philips LCD Co., Ltd. v. ViewSonic, C.A. No. 04-343 JJF**

Dear Special Master Poppiti:

I write in response to Your Honor's request for a proposal on submissions and argument regarding: (1) any unresolved discovery issues raised in the December 28, 2006 hearing; and (2) whether additional discovery is appropriate based on the Court's Markman ruling. Except as noted below, LPL, Tatung and ViewSonic respectfully jointly propose the following schedules:

## I. Unresolved Discovery Issues from Prior Motions

1. LPL, Tatung and ViewSonic will identify by 5 pm EDT Friday, June 1, the issues that each believes to remain unresolved from the December 28, 2006 hearing before the Special Master, and attempt to resolve those issues. Counsel will attempt to resolve such issues, and will complete such discussions by June 5.

2. LPL also seeks (1) from ViewSonic the discovery described in LPL's May 8, 2007 submission; and (2) from Tatung all sales figures for accused products, not limited to U.S. sales and shipments. As discussed during the May 23, 2007 hearing with the Special Master, if LPL is permitted to pursue new discovery motions, ViewSonic respectfully requests a similar opportunity to file new motions on prior discovery requests. Counsel will attempt to resolve such issues, and will complete such discussions by June 5.

3. Each party may submit a letter of up to two pages by 5:00 p.m. EDT on June 6, 2007, to bring to the Special Master's attention issues from the December 28 hearing that remain unresolved. No new briefing will be submitted on the underlying discovery issues, unless requested by the Special Master.

4. Oral argument by teleconference will be on or after June 8, 2007, at a time to be set by the Special Master.

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5. By way of status, ViewSonic notes that its May 8, 2007 submission (DM31-1) to the Special Master seeking sales information remains pending. If the parties cannot resolve this issue by June 5, ViewSonic will so advise the Special Master and request that this motion be placed on the Special Master's calendar at the Special Master's earliest convenience. LPL believed that this issue was resolved but, if the issue cannot be resolved by further discussion, LPL respectfully proposes that LPL submit its opposition to ViewSonic's May 8 submission by June 8, 2007.

## II. Whether Additional Discovery Is Needed Based on Claim Construction Ruling

1. No later than by 5:00 p.m. EDT three business days after the preliminary claim constructions are issued by the Special Master, LPL, Tatung and ViewSonic may each submit a letter of up to four pages addressing why additional discovery is or is not necessary based on the preliminary claim constructions.

2. No later than three business days after such opening submissions, each party may submit a letter of up to two pages responding to each initial submission addressing why additional discovery is or is not necessary based on the preliminary claim constructions.

3. Oral argument by teleconference will be set by the Special Master.

If Your Honor has any questions, counsel would be pleased to respond.

/s/ Richard D. Kirk (rk0922)

cc: all counsel shown on attached certificate

**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that copies of the foregoing document were served as follows:

BY EMAIL ON JUNE 1, 2007 AND BY HAND ON JUNE 2, 2007:

Jeffrey B Bove, Esq.  
Jaclyn M. Mason, Esq.  
Connolly Bove Lodge & Hutz LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899-2207

Frederick L. Cottrell, III, Esq.  
Anne Shea Gaza, Esq.  
Richards, Layton & Finger  
One Rodney Square  
P.O. Box 551  
Wilmington, DE 19899

BY EMAIL ON JUNE 1, 2007 AND BY U.S. MAIL ON JUNE 2, 2007:

Scott R. Miller, Esq.  
Connolly Bove Lodge & Hutz LLP  
355 South Grand Avenue  
Suite 3150  
Los Angeles, CA 90071

Valerie Ho, Esq.  
Mark H. Krietzman, Esq.  
Frank C. Merideth, Jr., Esq.  
Greenberg Traurig LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404

Tracy Roman, Esq.  
Raskin Peter Rubin & Simon LLP  
1801 Century Park East, Suite 2300  
Los Angeles, CA 90067

/s/ Richard D. Kirk (rk0922)  
Richard D. Kirk